

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JOHN SANTARELLI,

Civil No. 13-0213 (JRT/JSM)

Petitioner,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

SCOTT P. FISHER,

Respondent.

John Santarelli, 10508 Lyman Avenue, Chicago Ridge, IL 60415, pro se petitioner,

Gregory G Brooker, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for the respondent.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation are **ADOPTED**;
2. Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, [Docket No. 1], is **DENIED**; and
3. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: January 7, 2014
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge